

**PUBLIC NOTICE: 04-28**

**DATED: AUGUST 4, 2004**

**NOTICE OF PROPOSED ADMINISTRATIVE PENALTY ASSESSMENTS AND  
OPPORTUNITY TO COMMENT**

**AGENCY: ENVIRONMENTAL PROTECTION AGENCY (EPA)**

**ACTION: NOTICE OF PROPOSED ADMINISTRATIVE PENALTY ASSESSMENTS  
AND OPPORTUNITY TO COMMENT**

**SUMMARY: EPA IS PROVIDING NOTICE OF PROPOSED ADMINISTRATIVE  
PENALTY ASSESSMENTS FOR ALLEGED VIOLATIONS OF THE CLEAN WATER  
ACT. EPA IS ALSO PROVIDING NOTICE OF OPPORTUNITY TO COMMENT ON  
THESE PROPOSED PENALTY ASSESSMENTS.**

**UNDER 33 U.S.C. §1319(G), EPA IS AUTHORIZED TO ISSUE ORDERS  
ASSESSING CIVIL PENALTIES FOR VARIOUS VIOLATIONS OF THE ACT. EPA  
MAY ISSUE SUCH ORDERS AFTER THE COMMENCEMENT OF A CLASS I OR  
CLASS II PENALTY PROCEEDING. EPA PROVIDES PUBLIC NOTICE OF THESE  
PROPOSED ASSESSMENT PURSUANT TO 33 U.S.C. §1319(G)(4)(A).**

**CLASS I PROCEEDINGS ARE CONDUCTED UNDER EPA'S  
“CONSOLIDATED RULES OF PRACTICE GOVERNING THE ADMINISTRATIVE  
ASSESSMENT OF CIVIL PENALTIES AND THE REVOCATION/TERMINATION OR**

**SUSPENSION OF PERMITS”, 40 CODE OF FEDERAL REGULATIONS PART 22. THE PROCEDURES THROUGH WHICH THE PUBLIC MAY SUBMIT WRITTEN COMMENT ON A PROPOSED CLASS I COMPLAINT OR PARTICIPATES IN A CLASS I PROCEEDING, AND THE PROCEDURES BY WHICH A RESPONDENT MAY REQUEST A HEARING, ARE SET FORTH IN THE CONSOLIDATED RULES.**

**SECTION 22.13(b) OF THE CROP SETS FORTH PROCEDURES FOR SIMULTANEOUS COMMENCEMENT AND CONCLUSION OF ADMINISTRATIVE CIVIL PENALTY ASSESSMENT PROCEEDING WHERE THE PARTIES AGREE TO SETTLEMENT OF ONE OR MORE CAUSES OF ACTION. THIS IS ACCOMPLISHED THROUGH ISSUANCE OF A CONSENT AGREEMENT AND FINAL ORDER PURSUANT TO SECTION 22.18(b)(2) AND 22.18(b)(3) OF THE CROP. THE SUBJECT PENALTY ASSESSMENTS NOTICED HEREIN FOLLOWS THE PROCEDURES SET FORTH IN SECTION 22.13(b). THE DEADLINE FOR SUBMITTING PUBLIC COMMENT ON A PROPOSED CLASS I ORDER IS THIRTY (30) DAYS AFTER THE DATE OF PUBLICATION OF THIS PUBLIC NOTICE.**

**ON THE DATE IDENTIFIED BELOW, EPA COMMENCED THE FOLLOWING CLASS I PROCEEDING FOR THESE ASSESSMENTS OF PENALTIES: IN THE MATTER OF CONSTRUCCIONES JOSE CARRO, BOX 508, COTTO LAUREL, PUERTO RICO 00780-0508 SE, DOCKET NO. CWA-02-2004-3304; FILED ON AUGUST 4, , 2004 WITH REGIONAL HEARING CLERK KAREN MAPLES, U.S. EPA, REGION**

**II, 290 BROADWAY, 16 FLOOR, NEW YORK, NEW YORK 10007 (212) 637-3247;  
PROPOSED PENALTY: \$9,900, FAILURE TO APPLY AND OBTAIN A NPDES  
PERMIT COVERING STORM WATER DISCHARGES FROM CONSTRUCTION  
SITES AS REQUIRED BY THE STORM WATER REGULATIONS.**

**ON THE DATE IDENTIFIED BELOW, EPA COMMENCED THE FOLLOWING  
CLASS I PROCEEDING FOR THESE ASSESSMENTS OF PENALTIES: IN THE  
MATTER OF ENGINEER JOSE J. SAN MIGUEL, P.O. BOX 701, COND. EL  
CASTILLO, MAYAGUEZ, PUERTO RICO 00682, DOCKET NO. CWA-02-2004-3305;  
FILED ON AUGUST 4 , 2004 WITH REGIONAL HEARING CLERK KAREN MAPLES,  
U.S. EPA, REGION II, 290 BROADWAY, 16 FLOOR, NEW YORK, NEW YORK 10007  
(212) 637-3247; PROPOSED PENALTY: \$8,350, FAILURE TO APPLY AND OBTAIN A  
NPDES PERMIT COVERING STORM WATER DISCHARGES FROM  
CONSTRUCTION SITES AS REQUIRED BY THE STORM WATER REGULATIONS.**

**ON THE DATE IDENTIFIED BELOW, EPA COMMENCED THE FOLLOWING  
CLASS I PROCEEDING FOR THESE ASSESSMENTS OF PENALTIES: IN THE  
MATTER OF CABIMAR, SE, P.O. BOX 180, HORMIGUEROS, PUERTO RICO 00666,  
DOCKET NO. CWA-02-2004-3306; FILED ON AUGUST 4 , 2004 WITH REGIONAL  
HEARING CLERK KAREN MAPLES, U.S. EPA, REGION II, 290 BROADWAY, 16  
FLOOR, NEW YORK, NEW YORK 10007 (212) 637-3247; PROPOSED PENALTY:  
\$12,665, FAILURE TO APPLY AND OBTAIN A NPDES PERMIT COVERING STORM**

**WATER DISCHARGES FROM CONSTRUCTION SITES AS REQUIRED BY THE  
STORM WATER REGULATIONS.**

**ON THE DATE IDENTIFIED BELOW, EPA COMMENCED THE FOLLOWING  
CLASS I PROCEEDING FOR THESE ASSESSMENTS OF PENALTIES: IN THE  
MATTER OF CABIMAR, SE, P.O. BOX 180, HORMIGUEROS, PUERTO RICO 00666,  
DOCKET NO. CWA-02-2004-3307; FILED ON AUGUST 4, 2004 WITH REGIONAL  
HEARING CLERK KAREN MAPLES, U.S. EPA, REGION II, 290 BROADWAY, 16  
FLOOR, NEW YORK, NEW YORK 10007 (212) 637-3247; PROPOSED PENALTY:  
\$2,250, FAILURE TO APPLY AND OBTAIN A NPDES PERMIT COVERING STORM  
WATER DISCHARGES FROM CONSTRUCTION SITES AS REQUIRED BY THE  
STORM WATER REGULATIONS.**

**ON THE DATE IDENTIFIED BELOW, EPA COMMENCED THE FOLLOWING  
CLASS I PROCEEDING FOR THESE ASSESSMENTS OF PENALTIES: IN THE  
MATTER OF CARRO AND CARRO ENTERPRISES, P.O.BOX 1745, CIALES,  
PUERTO RICO 00638, DOCKET NO. CWA-02-2004-3308; FILED ON AUGUST 4 , 2004  
WITH REGIONAL HEARING CLERK KAREN MAPLES, U.S. EPA, REGION II, 290  
BROADWAY, 16 FLOOR, NEW YORK, NEW YORK 10007 (212) 637-3247; PROPOSED  
PENALTY: \$11,750, FAILURE TO APPLY AND OBTAIN A NPDES PERMIT  
COVERING STORM WATER DISCHARGES FROM CONSTRUCTION SITES AS  
REQUIRED BY THE STORM WATER REGULATIONS.**

**ON THE DATE IDENTIFIED BELOW, EPA COMMENCED THE FOLLOWING CLASS I PROCEEDING FOR THESE ASSESSMENTS OF PENALTIES: IN THE MATTER OF CONSTRUCCIONES JOSE CARRO, BOX 508, COTTO LAUREL, PUERTO RICO 00780-0508 SE, DOCKET NO. CWA-02-2004-3309; FILED ON AUGUST 4, 2004 WITH REGIONAL HEARING CLERK KAREN MAPLES, U.S. EPA, REGION II, 290 BROADWAY, 16 FLOOR, NEW YORK, NEW YORK 10007 (212) 637-3247; PROPOSED PENALTY: \$5,100, FAILURE TO APPLY AND OBTAIN A NPDES PERMIT COVERING STORM WATER DISCHARGES FROM CONSTRUCTION SITES AS REQUIRED BY THE STORM WATER REGULATIONS.**

**ON THE DATE IDENTIFIED BELOW, EPA COMMENCED THE FOLLOWING CLASS I PROCEEDING FOR THESE ASSESSMENTS OF PENALTIES: IN THE MATTER OF CONSTRUCCIONES JOSE CARRO, BOX 508, COTTO LAUREL, PUERTO RICO 00780-0508 SE, DOCKET NO. CWA-02-2004-3310; FILED ON AUGUST 4, 2004 WITH REGIONAL HEARING CLERK KAREN MAPLES, U.S. EPA, REGION II, 290 BROADWAY, 16 FLOOR, NEW YORK, NEW YORK 10007 (212) 637-3247; PROPOSED PENALTY: \$12,050, FAILURE TO APPLY AND OBTAIN A NPDES PERMIT COVERING STORM WATER DISCHARGES FROM CONSTRUCTION SITES AS REQUIRED BY THE STORM WATER REGULATIONS.**

**ON THE DATE IDENTIFIED BELOW, EPA COMMENCED THE FOLLOWING CLASS I PROCEEDING FOR THESE ASSESSMENTS OF PENALTIES: IN THE MATTER OF CONSTRUCCIONES JOSE CARRO, BOX 508, COTTO LAUREL, PUERTO RICO 00780-0508 SE, DOCKET NO. CWA-02-2004-3311; FILED ON AUGUST 4, 2004 WITH REGIONAL HEARING CLERK KAREN MAPLES, U.S. EPA, REGION II, 290 BROADWAY, 16 FLOOR, NEW YORK, NEW YORK 10007 (212) 637-3247; PROPOSED PENALTY: \$12,050, FAILURE TO APPLY AND OBTAIN A NPDES PERMIT COVERING STORM WATER DISCHARGES FROM CONSTRUCTION SITES AS REQUIRED BY THE STORM WATER REGULATIONS.**

**ON THE DATE IDENTIFIED BELOW, EPA COMMENCED THE FOLLOWING CLASS I PROCEEDING FOR THESE ASSESSMENTS OF PENALTIES: IN THE MATTER OF CONSTRUCCIONES JOSE CARRO, BOX 508, COTTO LAUREL, PUERTO RICO 00780-0508 SE, DOCKET NO. CWA-02-2004-3312; FILED ON AUGUST 4, 2004 WITH REGIONAL HEARING CLERK KAREN MAPLES, U.S. EPA, REGION II, 290 BROADWAY, 16 FLOOR, NEW YORK, NEW YORK 10007 (212) 637-3247; PROPOSED PENALTY: \$15,000, FAILURE TO APPLY AND OBTAIN A NPDES PERMIT COVERING STORM WATER DISCHARGES FROM CONSTRUCTION SITES AS REQUIRED BY THE STORM WATER REGULATIONS.**

**ON THE DATE IDENTIFIED BELOW, EPA COMMENCED THE FOLLOWING**

**CLASS I PROCEEDING FOR THESE ASSESSMENTS OF PENALTIES: IN THE MATTER OF CONSTRUCTORA FORTIS, BOX 2125, OROCOVIS, PUERTO RICO 00720, DOCKET NO. CWA-02-2004-3313; FILED ON AUGUST 4, 2004 WITH REGIONAL HEARING CLERK KAREN MAPLES, U.S. EPA, REGION II, 290 BROADWAY, 16 FLOOR, NEW YORK, NEW YORK 10007 (212) 637-3247; PROPOSED PENALTY: \$5,000, FAILURE TO APPLY AND OBTAIN A NPDES PERMIT COVERING STORM WATER DISCHARGES FROM CONSTRUCTION SITES AS REQUIRED BY THE STORM WATER REGULATIONS.**

**ON THE DATE IDENTIFIED BELOW, EPA COMMENCED THE FOLLOWING CLASS I PROCEEDING FOR THESE ASSESSMENTS OF PENALTIES: IN THE MATTER OF CONSTRUCTORA FORTIS, BOX 2125, OROCOVIS, PUERTO RICO 00720, DOCKET NO. CWA-02-2004-3314; FILED ON AUGUST 4, 2004 WITH REGIONAL HEARING CLERK KAREN MAPLES, U.S. EPA, REGION II, 290 BROADWAY, 16 FLOOR, NEW YORK, NEW YORK 10007 (212) 637-3247; PROPOSED PENALTY: \$10,750, FAILURE TO APPLY AND OBTAIN A NPDES PERMIT COVERING STORM WATER DISCHARGES FROM CONSTRUCTION SITES AS REQUIRED BY THE STORM WATER REGULATIONS.**

**ON THE DATE IDENTIFIED BELOW, EPA COMMENCED THE FOLLOWING CLASS I PROCEEDING FOR THESE ASSESSMENTS OF PENALTIES: IN THE MATTER OF CONSTRUCTORA FORTIS, BOX 2125, OROCOVIS, PUERTO RICO**

**00720, DOCKET NO. CWA-02-2004-3315; FILED ON AUGUST 4, 2004 WITH REGIONAL HEARING CLERK KAREN MAPLES, U.S. EPA, REGION II, 290 BROADWAY, 16 FLOOR, NEW YORK, NEW YORK 10007 (212) 637-3247; PROPOSED PENALTY: \$6,000, FAILURE TO APPLY AND OBTAIN A NPDES PERMIT COVERING STORM WATER DISCHARGES FROM CONSTRUCTION SITES AS REQUIRED BY THE STORM WATER REGULATIONS.**

**ON THE DATE IDENTIFIED BELOW, EPA COMMENCED THE FOLLOWING CLASS I PROCEEDING FOR THESE ASSESSMENTS OF PENALTIES: IN THE MATTER OF CONSTRUCTORA FORTIS, BOX 2125, OROCOVIS, PUERTO RICO 00720, DOCKET NO. CWA-02-2004-3316; FILED ON AUGUST 4, 2004 WITH REGIONAL HEARING CLERK KAREN MAPLES, U.S. EPA, REGION II, 290 BROADWAY, 16 FLOOR, NEW YORK, NEW YORK 10007 (212) 637-3247; PROPOSED PENALTY: \$6,500, FAILURE TO APPLY AND OBTAIN A NPDES PERMIT COVERING STORM WATER DISCHARGES FROM CONSTRUCTION SITES AS REQUIRED BY THE STORM WATER REGULATIONS.**

**ON THE DATE IDENTIFIED BELOW, EPA COMMENCED THE FOLLOWING CLASS I PROCEEDING FOR THESE ASSESSMENTS OF PENALTIES: IN THE MATTER OF CONSTRUCTORA I. MELENDEZ, CALLE BETANCES #15, SEGUNDO NIVEL, SANTA ISABEL, PUERTO RICO 00757, DOCKET NO. CWA-02-2004-3317; FILED ON AUGUST 4, 2004 WITH REGIONAL HEARING CLERK KAREN MAPLES,**



**U.S. EPA, REGION II, 290 BROADWAY, 16 FLOOR, NEW YORK, NEW YORK 10007  
(212) 637-3247; PROPOSED PENALTY: \$9,100, FAILURE TO APPLY AND OBTAIN A  
NPDES PERMIT COVERING STORM WATER DISCHARGES FROM  
CONSTRUCTION SITES AS REQUIRED BY THE STORM WATER REGULATIONS.**

**ON THE DATE IDENTIFIED BELOW, EPA COMMENCED THE FOLLOWING  
CLASS I PROCEEDING FOR THESE ASSESSMENTS OF PENALTIES: IN THE  
MATTER OF CONSTRUCTORA I. MELENDEZ, CALLE BETANCES #15, SEGUNDO  
NIVEL, SANTA ISABEL, PUERTO RICO 00757, DOCKET NO. CWA-02-2004-3318;  
FILED ON AUGUST 4, 2004 WITH REGIONAL HEARING CLERK KAREN MAPLES,  
U.S. EPA, REGION II, 290 BROADWAY, 16 FLOOR, NEW YORK, NEW YORK 10007  
(212) 637-3247; PROPOSED PENALTY: \$5,480, FAILURE TO APPLY AND OBTAIN A  
NPDES PERMIT COVERING STORM WATER DISCHARGES FROM  
CONSTRUCTION SITES AS REQUIRED BY THE STORM WATER REGULATIONS.**

**ON THE DATE IDENTIFIED BELOW, EPA COMMENCED THE FOLLOWING  
CLASS I PROCEEDING FOR THESE ASSESSMENTS OF PENALTIES: IN THE  
MATTER OF CONSTRUCTORA I. MELENDEZ, CALLE BETANCES #15, SEGUNDO  
NIVEL, SANTA ISABEL, PUERTO RICO 00757, DOCKET NO. CWA-02-2004-3319;  
FILED ON AUGUST 4, 2004 WITH REGIONAL HEARING CLERK KAREN MAPLES,  
U.S. EPA, REGION II, 290 BROADWAY, 16 FLOOR, NEW YORK, NEW YORK 10007  
(212) 637-3247; PROPOSED PENALTY: \$5,130, FAILURE TO APPLY AND OBTAIN A**

**NPDES PERMIT COVERING STORM WATER DISCHARGES FROM  
CONSTRUCTION SITES AS REQUIRED BY THE STORM WATER REGULATIONS.**

**ON THE DATE IDENTIFIED BELOW, EPA COMMENCED THE FOLLOWING  
CLASS I PROCEEDING FOR THESE ASSESSMENTS OF PENALTIES: IN THE  
MATTER OF DBA CONSTRUCTION, HC-40 BOX 41703, SEGUNDO NIVEL, SAN  
LORENZO, PUERTO RICO 00754, DOCKET NO. CWA-02-2004-3320; FILED ON  
AUGUST 4, 2004 WITH REGIONAL HEARING CLERK KAREN MAPLES, U.S. EPA,  
REGION II, 290 BROADWAY, 16 FLOOR, NEW YORK, NEW YORK 10007 (212) 637-  
3247; PROPOSED PENALTY: \$9,000, FAILURE TO APPLY AND OBTAIN A NPDES  
PERMIT COVERING STORM WATER DISCHARGES FROM CONSTRUCTION  
SITES AS REQUIRED BY THE STORM WATER REGULATIONS.**

**ON THE DATE IDENTIFIED BELOW, EPA COMMENCED THE FOLLOWING  
CLASS I PROCEEDING FOR THESE ASSESSMENTS OF PENALTIES: IN THE  
MATTER OF DEL VALLE GROUP, ENGINEERS AND CONTRACTORS , P.O. BOX  
2319, TOA BAJA, PUERTO RICO 00951-2319, DOCKET NO. CWA-02-2004-3321;  
FILED ON AUGUST 4, 2004 WITH REGIONAL HEARING CLERK KAREN MAPLES,  
U.S. EPA, REGION II, 290 BROADWAY, 16 FLOOR, NEW YORK, NEW YORK 10007  
(212) 637-3247; PROPOSED PENALTY: \$15,000, FAILURE TO APPLY AND OBTAIN A  
NPDES PERMIT COVERING STORM WATER DISCHARGES FROM  
CONSTRUCTION SITES AS REQUIRED BY THE STORM WATER REGULATIONS.**

**ON THE DATE IDENTIFIED BELOW, EPA COMMENCED THE FOLLOWING CLASS I PROCEEDING FOR THESE ASSESSMENTS OF PENALTIES: IN THE MATTER OF ENGINEER JAIME JIMENEZ, P.O. BOX 1629, VEGA ALTA, PUERTO RICO 00692, DOCKET NO. CWA-02-2004-3322; FILED ON AUGUST 4, 2004 WITH REGIONAL HEARING CLERK KAREN MAPLES, U.S. EPA, REGION II, 290 BROADWAY, 16 FLOOR, NEW YORK, NEW YORK 10007 (212) 637-3247; PROPOSED PENALTY: \$1,230, FAILURE TO APPLY AND OBTAIN A NPDES PERMIT COVERING STORM WATER DISCHARGES FROM CONSTRUCTION SITES AS REQUIRED BY THE STORM WATER REGULATIONS.**

**ON THE DATE IDENTIFIED BELOW, EPA COMMENCED THE FOLLOWING CLASS I PROCEEDING FOR THESE ASSESSMENTS OF PENALTIES: IN THE MATTER OF GURIMAR CONSTRUCTION, P.O. BOX 195395, SAN JUAN, PUERTO RICO 00919-5395, DOCKET NO. CWA-02-2004-3323; FILED ON AUGUST 4, 2004 WITH REGIONAL HEARING CLERK KAREN MAPLES, U.S. EPA, REGION II, 290 BROADWAY, 16 FLOOR, NEW YORK, NEW YORK 10007 (212) 637-3247; PROPOSED PENALTY: \$11,650, FAILURE TO APPLY AND OBTAIN A NPDES PERMIT COVERING STORM WATER DISCHARGES FROM CONSTRUCTION SITES AS REQUIRED BY THE STORM WATER REGULATIONS.**

**ON THE DATE IDENTIFIED BELOW, EPA COMMENCED THE FOLLOWING CLASS I PROCEEDING FOR THESE ASSESSMENTS OF PENALTIES: IN THE MATTER OF KAISER CONSTRUCTION, P.O. BOX 192018, SAN JUAN, PUERTO**

**RICO 00919-2108, DOCKET NO. CWA-02-2004-3324; FILED ON AUGUST 4, 2004  
WITH REGIONAL HEARING CLERK KAREN MAPLES, U.S. EPA, REGION II, 290  
BROADWAY, 16 FLOOR, NEW YORK, NEW YORK 10007 (212) 637-3247; PROPOSED  
PENALTY: \$10,000, FAILURE TO APPLY AND OBTAIN A NPDES PERMIT  
COVERING STORM WATER DISCHARGES FROM CONSTRUCTION SITES AS  
REQUIRED BY THE STORM WATER REGULATIONS.**

**ON THE DATE IDENTIFIED BELOW, EPA COMMENCED THE FOLLOWING  
CLASS I PROCEEDING FOR THESE ASSESSMENTS OF PENALTIES: IN THE  
MATTER OF LAS PIEDRAS CONSTRUCTION AND DEMOLITION, INC., P.O. BOX  
2025, LAS PIEDRAS, PUERTO RICO 00771, DOCKET NO. CWA-02-2004-3325; FILED  
ON AUGUST 4, 2004 WITH REGIONAL HEARING CLERK KAREN MAPLES, U.S.  
EPA, REGION II, 290 BROADWAY, 16 FLOOR, NEW YORK, NEW YORK 10007 (212)  
637-3247; PROPOSED PENALTY: \$15,000, FAILURE TO APPLY AND OBTAIN A  
NPDES PERMIT COVERING STORM WATER DISCHARGES FROM  
CONSTRUCTION SITES AS REQUIRED BY THE STORM WATER REGULATIONS.**

**ON THE DATE IDENTIFIED BELOW, EPA COMMENCED THE FOLLOWING  
CLASS I PROCEEDING FOR THESE ASSESSMENTS OF PENALTIES: IN THE  
MATTER OF LEAFAR CONSTRUCTION, P.O. BOX 478, COTTO LAUREL, PUERTO  
RICO 00780, DOCKET NO. CWA-02-2004-3326; FILED ON AUGUST 4, 2004 WITH  
REGIONAL HEARING CLERK KAREN MAPLES, U.S. EPA, REGION II, 290  
BROADWAY, 16 FLOOR, NEW YORK, NEW YORK 10007 (212) 637-3247; PROPOSED**

**PENALTY: \$6,415, FAILURE TO APPLY AND OBTAIN A NPDES PERMIT COVERING STORM WATER DISCHARGES FROM CONSTRUCTION SITES AS REQUIRED BY THE STORM WATER REGULATIONS.**

**ON THE DATE IDENTIFIED BELOW, EPA COMMENCED THE FOLLOWING CLASS I PROCEEDING FOR THESE ASSESSMENTS OF PENALTIES: IN THE MATTER OF LEAFAR CONSTRUCTION, P.O. BOX 478, COTTO LAUREL, PUERTO RICO 00780, DOCKET NO. CWA-02-2004-3327; FILED ON AUGUST 4, 2004 WITH REGIONAL HEARING CLERK KAREN MAPLES, U.S. EPA, REGION II, 290 BROADWAY, 16 FLOOR, NEW YORK, NEW YORK 10007 (212) 637-3247; PROPOSED PENALTY: \$3,400, FAILURE TO APPLY AND OBTAIN A NPDES PERMIT COVERING STORM WATER DISCHARGES FROM CONSTRUCTION SITES AS REQUIRED BY THE STORM WATER REGULATIONS.**

**ON THE DATE IDENTIFIED BELOW, EPA COMMENCED THE FOLLOWING CLASS I PROCEEDING FOR THESE ASSESSMENTS OF PENALTIES: IN THE MATTER OF L. REYES CONTRACTORS INC., P.O. BOX 5, COTTO LAUREL, PUERTO RICO 80005-0005, DOCKET NO. CWA-02-2004-3328; FILED ON AUGUST 4, 2004 WITH REGIONAL HEARING CLERK KAREN MAPLES, U.S. EPA, REGION II, 290 BROADWAY, 16 FLOOR, NEW YORK, NEW YORK 10007 (212) 637-3247; PROPOSED PENALTY: \$11,500, FAILURE TO APPLY AND OBTAIN A NPDES PERMIT COVERING STORM WATER DISCHARGES FROM CONSTRUCTION SITES AS REQUIRED BY THE STORM WATER REGULATIONS.**

**ON THE DATE IDENTIFIED BELOW, EPA COMMENCED THE FOLLOWING CLASS I PROCEEDING FOR THESE ASSESSMENTS OF PENALTIES: IN THE MATTER OF MISENER CONSTRUCTION INC., P.O. BOX 52346, TOA BAJA, PUERTO RICO 00950, DOCKET NO. CWA-02-2004-3329; FILED ON AUGUST 4, 2004 WITH REGIONAL HEARING CLERK KAREN MAPLES, U.S. EPA, REGION II, 290 BROADWAY, 16 FLOOR, NEW YORK, NEW YORK 10007 (212) 637-3247; PROPOSED PENALTY: \$15,000, FAILURE TO APPLY AND OBTAIN A NPDES PERMIT COVERING STORM WATER DISCHARGES FROM CONSTRUCTION SITES AS REQUIRED BY THE STORM WATER REGULATIONS.**

**ON THE DATE IDENTIFIED BELOW, EPA COMMENCED THE FOLLOWING CLASS I PROCEEDING FOR THESE ASSESSMENTS OF PENALTIES: IN THE MATTER OF MP ANTILLES CONSTRUCTION INC., CORPORACION TORRE SAN MIGUEL, GUAYNABO, PUERTO RICO 00969, DOCKET NO. CWA-02-2004-3330; FILED ON AUGUST 4, 2004 WITH REGIONAL HEARING CLERK KAREN MAPLES, U.S. EPA, REGION II, 290 BROADWAY, 16 FLOOR, NEW YORK, NEW YORK 10007 (212) 637-3247; PROPOSED PENALTY: \$9,680, FAILURE TO APPLY AND OBTAIN A NPDES PERMIT COVERING STORM WATER DISCHARGES FROM CONSTRUCTION SITES AS REQUIRED BY THE STORM WATER REGULATIONS.**

**ON THE DATE IDENTIFIED BELOW, EPA COMMENCED THE FOLLOWING CLASS I PROCEEDING FOR THESE ASSESSMENTS OF PENALTIES: IN THE MATTER OF RIO CONSTRUCTION CORPORATION., P.O. BOX 10462, CAPARRA**

**HEIGHTS STATION, SAN JUAN, PUERTO RICO 00922-0462, DOCKET NO. CWA-02-2004-3331; FILED ON AUGUST 4, 2004 WITH REGIONAL HEARING CLERK KAREN MAPLES, U.S. EPA, REGION II, 290 BROADWAY, 16 FLOOR, NEW YORK, NEW YORK 10007 (212) 637-3247; PROPOSED PENALTY: \$15,000, FAILURE TO APPLY AND OBTAIN A NPDES PERMIT COVERING STORM WATER DISCHARGES FROM CONSTRUCTION SITES AS REQUIRED BY THE STORM WATER REGULATIONS.**

**ON THE DATE IDENTIFIED BELOW, EPA COMMENCED THE FOLLOWING CLASS I PROCEEDING FOR THESE ASSESSMENTS OF PENALTIES: IN THE MATTER OF ROBLES ASPHALT CORPORATION, HIGHWAY P.R.-14#112, COTTO LAUREL, PUERTO RICO 00780, DOCKET NO. CWA-02-2004-3332; FILED ON AUGUST 4, 2004 WITH REGIONAL HEARING CLERK KAREN MAPLES, U.S. EPA, REGION II, 290 BROADWAY, 16 FLOOR, NEW YORK, NEW YORK 10007 (212) 637-3247; PROPOSED PENALTY: \$12,165, FAILURE TO APPLY AND OBTAIN A NPDES PERMIT COVERING STORM WATER DISCHARGES FROM CONSTRUCTION SITES AS REQUIRED BY THE STORM WATER REGULATIONS.**

**ON THE DATE IDENTIFIED BELOW, EPA COMMENCED THE FOLLOWING CLASS I PROCEEDING FOR THESE ASSESSMENTS OF PENALTIES: IN THE MATTER OF TAMRIO INCORPORADO, P.O. BOX 455, MAYAGUEZ, PUERTO RICO 00682, DOCKET NO. CWA-02-2004-3333; FILED ON AUGUST 4, 2004 WITH REGIONAL HEARING CLERK KAREN MAPLES, U.S. EPA, REGION II, 290 BROADWAY, 16 FLOOR, NEW YORK, NEW YORK 10007 (212) 637-3247; PROPOSED**

**PENALTY: \$5,130, FAILURE TO APPLY AND OBTAIN A NPDES PERMIT  
COVERING STORM WATER DISCHARGES FROM CONSTRUCTION SITES AS  
REQUIRED BY THE STORM WATER REGULATIONS.**

**ON THE DATE IDENTIFIED BELOW, EPA COMMENCED THE FOLLOWING  
CLASS I PROCEEDING FOR THESE ASSESSMENTS OF PENALTIES: IN THE  
MATTER OF TAMRIO INCORPORADO, P.O. BOX 455, MAYAGUEZ, PUERTO RICO  
00682, DOCKET NO. CWA-02-2004-3334; FILED ON AUGUST 4, 2004 WITH  
REGIONAL HEARING CLERK KAREN MAPLES, U.S. EPA, REGION II, 290  
BROADWAY, 16 FLOOR, NEW YORK, NEW YORK 10007 (212) 637-3247; PROPOSED  
PENALTY: \$15,000, FAILURE TO APPLY AND OBTAIN A NPDES PERMIT  
COVERING STORM WATER DISCHARGES FROM CONSTRUCTION SITES AS  
REQUIRED BY THE STORM WATER REGULATIONS.**

**ON THE DATE IDENTIFIED BELOW, EPA COMMENCED THE FOLLOWING  
CLASS I PROCEEDING FOR THESE ASSESSMENTS OF PENALTIES: IN THE  
MATTER OF UNIQUE BUILDERS INC., P.O. BOX 29348, SAN JUAN, PUERTO RICO  
00929-0348, DOCKET NO. CWA-02-2004-3335; FILED ON AUGUST 4, 2004 WITH  
REGIONAL HEARING CLERK KAREN MAPLES, U.S. EPA, REGION II, 290  
BROADWAY, 16 FLOOR, NEW YORK, NEW YORK 10007 (212) 637-3247; PROPOSED  
PENALTY: \$15,0000, FAILURE TO APPLY AND OBTAIN A NPDES PERMIT  
COVERING STORM WATER DISCHARGES FROM CONSTRUCTION SITES AS  
REQUIRED BY THE STORM WATER REGULATIONS.**



**FOR FURTHER INFORMATION: PERSONS WISHING TO RECEIVE A COPY OF EPA'S CONSOLIDATED RULES, REVIEW THESE CONSENT AGREEMENTS OR OTHER DOCUMENTS FILED IN THESE PROCEEDINGS, COMMENT UPON THE PROPOSED ASSESSMENTS, OR OTHERWISE PARTICIPATE IN ANY OF THESE PROCEEDINGS, SHOULD CONTACT THE REGIONAL HEARING CLERK IDENTIFIED ABOVE. UNLESS OTHERWISE NOTED, THE ADMINISTRATIVE RECORD FOR THESE PROCEEDINGS ARE LOCATED IN THE EPA REGIONAL OFFICE IDENTIFIED ABOVE, AND THE FILES WILL BE OPEN FOR PUBLIC INSPECTION DURING NORMAL BUSINESS HOURS. ALL INFORMATION SUBMITTED BY THE RESPONDENTS ARE AVAILABLE AS PART OF THE ADMINISTRATIVE RECORD, SUBJECT TO PROVISIONS OF LAW RESTRICTING PUBLIC DISCLOSURE OF CONFIDENTIAL INFORMATION.**

**IN ORDER TO PROVIDE OPPORTUNITY FOR PUBLIC COMMENT, EPA WILL TAKE NO FINAL ACTION IN THIS PROCEEDING PRIOR TO FORTY (40) DAYS AFTER ISSUANCE OF THIS NOTICE.**

**DORE LAPOSTA, DIRECTOR  
DIVISION OF ENFORCEMENT AND  
COMPLIANCE ASSISTANCE**